

IN THE UNITED STATES DISTRICT COURT

FEB 23 2010

FOR THE DISTRICT OF NEW MEXICO

MATTHEW J. DYKMAN

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CAROL I. DRAPER,

Defendant.

CRIMINAL NO. 10-459

Count 1: 42 U.S.C. § 408:
Social Security Fraud;

Count 2: 42 U.S.C. § 1383(a):
Social Security Fraud;

Count 3: 18 U.S.C. § 1001:
False Statement;

Count 4: 18 U.S.C. § 641: Theft
of Government Property.

INDICTMENT

The Grand Jury charges:

Count 1

From on or about July 1, 2005, through on or about November 30, 2009, those dates being inclusive, in Bernalillo County, in the District of New Mexico, the Defendant, **CAROL I. DRAPER**, in a matter within the jurisdiction of the Social Security Administration, having knowledge of the occurrence of an event affecting her initial and continued right to any payment of Social Security Disability Insurance Benefits and the initial and continued right to any payment of any other individual in whose behalf she applied for and was receiving such payment, did knowingly and willfully conceal and fail to disclose such event to the Social Security Administration with an intent fraudulently to secure payment either in greater amount than was due or when no payment was authorized. Specifically, the defendant, **CAROL I. DRAPER**, did conceal and fail to disclose, in Social Security Disability Insurance Benefits materials pertinent to herself

and to her sons, **A.G.** and **S.D.**, individuals known to the grand jury, that her husband, **J.D.**, an individual known to the grand jury, was continuously residing within the household when she stated fraudulently in said materials that he had departed the household on June 18, 2005. As a result of said concealment and failure to disclose, the defendant, **CAROL I. DRAPER**, fraudulently received Social Security Disability Insurance Benefits to which she was not entitled in the approximate amount of \$28,485.96.

In violation of 42 U.S.C. § 408(a)(4).

Count 2

From on or about July 1, 2005, through on or about November 30, 2009, those dates being inclusive, in Bernalillo County, in the District of New Mexico, the Defendant, **CAROL I. DRAPER**, in a matter within the jurisdiction of the Social Security Administration, having knowledge of the occurrence of an event affecting her initial and continued right to any payment of Supplemental Security Income and the initial and continued right to any payment of any other individual in whose behalf she applied for and was receiving such payment, did knowingly and willfully conceal and fail to disclose such event to the Social Security Administration with an intent fraudulently to secure payment either in greater amount than was due or when no payment was authorized. Specifically, the defendant, **CAROL I. DRAPER**, did conceal and fail to disclose, in Supplemental Security Income materials pertinent to herself and to her sons, **A.G.** and **S.D.**, individuals known to the grand jury, that her husband, **J.D.**, an individual known to the grand jury, was continuously residing within the household when she stated fraudulently in said materials that he had departed the household on June 18, 2005. As

a result of said concealment and failure to disclose, the defendant, **CAROL I. DRAPER**, fraudulently received Supplemental Security Income to which she was not entitled in the approximate amount of \$28,485.96.

In violation of 42 U.S.C. § 1383(a)(3).

Count 3

On or about September 15, 2009, in Bernalillo County, in the District of New Mexico, the defendant, **CAROL I. DRAPER**, in a matter within the jurisdiction of the Social Security Administration, a department or agency of the United States, did knowingly and willfully make a false, fraudulent, and fictitious material statement and representation; that is she falsely stated to the Social Security Administration, Office of the Inspector General, Special Agent Robert Latimer, both orally and in a handwritten statement that her husband, **J.D.**, an individual known to the grand jury, was not living within her household.

In violation of 18 U.S.C. § 1001(a)(2).

Count 4

From on or about July 1, 2005, through on or about November 30, 2009, those dates being inclusive, in Bernalillo County, in the District of New Mexico, the defendant, **CAROL I. DRAPER**, did knowingly and willfully embezzle, steal, purloin and convert to her own use and gain and to the use and gain of another money of the Social Security Administration, a department or agency of the United States, namely, Supplemental Security Income and Social Security Disability Insurance Benefits, payments made to her and to her in a representative capacity to which she knew she was not entitled, having a value in the approximate amount of \$28,485.96.

In violation of 18 U.S.C. § 641.

A TRUE BILL:

/s/
FOREPERSON OF THE GRAND JURY

Assistant United States Attorney
02/23/10 2:00pm